

ORIGINAL

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

U.S. DISTRICT COURT  
ANN ARBOR

DEC 7 4 56 PM '00

FILED

FORD MOTOR COMPANY, *et al.*,

Plaintiffs

v.

GREAT DOMAINS.COM, INC., *et al.*,

Defendants

Case No. 00-71544  
Hon. Gerald E. Rosen  
United States District Judge

**EXPEDITED MOTION AND SUPPORTING BRIEF OF EFF DEFENDANTS (A)  
TO STAY ORDER GRANTING PLAINTIFFS' MOTION FOR LEAVE TO  
PUBLISH, AND (B) TO PRESERVE STATUS QUO**

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JOHN HALL, GAPMOUNT, LTD.,  
WALLACE RAWSON, RAD\*TECH,  
AND TOM COOPER.

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1. Defendants John Hall, Gapmount, Ltd, and other Defendants represented by the Electronic Frontier Foundation – Robert Emmert, Paul Brown, Wallace Rawson, RAD\*TECH, and Tom Cooper (collectively, with Hall and Gapmount, “EFF Defendants”) – respectfully move for a temporary order (a) staying the Court’s previous order granting Plaintiffs’ Motion for leave to publish notice, and (b) otherwise preserving the *status quo*.

2. The Plaintiffs’ *ex parte* Publication Motion was granted two days after Plaintiff filed the Motion, and before the Motion was even served on any Defendant. The Plaintiffs’ moving papers glossed over some important issues, including issues relating to subject-matter jurisdiction, that need to be brought to this Court’s attention and that this Court should have the leisure to analyze with care.

3. An order staying the Plaintiffs’ *in rem* theory will not harm Plaintiffs in any way, because if the EFF Defendants’ 12(b)(1) Motion is ultimately denied, the Publication Order can easily be reinstated without harming Plaintiffs in any way. However, the EFF Defendants’ Motion is meritorious and is unlikely to be denied.

**CONCLUSION**

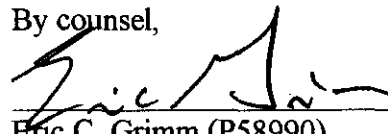
For the foregoing reasons, EFF Defendants respectfully pray for a temporary order

- (a) staying the Court's previous order granting Plaintiffs' Motion for leave to publish notice, and
- (b) otherwise preserving the *status quo*.

Respectfully submitted,

GAPMOUNT, LTD., JOHN HALL,  
AND OTHER EFF DEFENDANTS,

By counsel,



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December 7, 2000

**CERTIFICATE OF SERVICE**

I certify that the following documents:

- (1) **Motion of John Hall, Gapmount, Ltd., and Other EFF Defendants, Under FED. R. CIV. P. 12(b)(1), to Dismiss All *In Rem* Claims for Lack of Subject-matter Jurisdiction and EFF Defendants' Motion for a More Definite Statement; and**
- (2) **Memorandum of John Hall, Gapmount, Ltd., and Other EFF Defendants In Support of EFF Defendants' FED. R. CIV. P. 12(b)(1) Motion to Dismiss all *In Rem* Claims for Lack of Subject-matter Jurisdiction and EFF Defendants' Motion for a More Definite Statement; and**
- (3) **Motion and Supporting Brief of EFF Defendants for an Expedited Order (a) to Stay Order Granting Plaintiffs' Motion For Leave to Publish, and (b) to Preserve the *Status Quo*; and**
- (4) **Motion of EFF Defendants to Exceed 20-page Limit on Length of Supporting Briefs;**

were served on the parties or counsel fo record, by depositing them with the United States Postal Service, with First Class Mail or more expeditious means of delivery prepaid, on or before December 7, 2000:

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A handwritten signature in black ink, appearing to read "Eric A. Lipton", written over a horizontal line.